

DECLARATION IN CO-PENDING APPLICATION
CONTAINING ADDITIONAL SUBJECT MATTER

ATTORNEY'S DOCKET NO.
118E-0142CJP

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 201 below, or a joint inventor if plural inventors are named below at 201-203, of the invention entitled:

HEAD RESTRAINT DEVICE WITH RIGID MEMBER FOR USE WITH A HIGH PERFORMANCE VEHICLE

which is described and claimed in the attached specification; that this application in part discloses and claims subject matter disclosed in my earlier filed pending application,

Serial No. 10/660,230, filed September 9, 2003
SERIAL No. 60/409,085, FILED SEPTEMBER 9, 2002
Serial No. 10/335,341, filed December 31, 2002
SERIAL No. 09/993,839, FILED NOVEMBER 16, 2001
Serial No. 29/161,634, filed May 31, 2002
SERIAL No. 09/837,215, FILED APRIL 19, 2001

I hereby state that I have reviewed and understand the contents of the above-identified specifications, including the claims, as amended by any amendment referred to above; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with 37 C.F.R. § 1.56; that as to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to said earlier application; that the common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and as to applications for patents or inventor's certificate on the common subject matter filed in any country foreign to the United States of America, prior to said earlier application by me or my legal representatives or assigns,

no such applications have been filed, or

such applications have been filed as follows:

| FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO SAID EARLIER APPLICATION | | | |
|--|--------------------|-------------------------------------|---|
| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day month, year) | PRIORITY CLAIMED UNDER 35 USC 119 YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | |

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO SAID EARLIER APPLICATION

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s), with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

GREGORY R. EVERMAN - REG. NO. 47,553
JASON S. MILLER - REG. NO. 44,241
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| | | | | |
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like as such are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Trevor P. Ashline

| | | |
|---------------------------|---------------------------|---------------------------|
| Signature of Inventor 201 | Signature of Inventor 202 | Signature of Inventor 203 |
| <i>Trevor P. Ashline</i> | | |
| Date 11-28-03 | Date | Date |

Additional inventors are being named on separately numbered sheets attached hereto.

BEST AVAILABLE COPY